

IN RE: PETITION FOR ADMINISTRATIVE
ZONING VARIANCE
N/S Wilton Road, 486 ft. E of
c/l Newberry Lane
616 Wilton Road
9th Election District
4th Councilmanic District
Edward Schneider, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 8 ft., in lieu of the required 10 ft., for an enclosed porch, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of November, 1992 that the Petition for a Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 8 ft., in lieu of the required 10 ft., for an enclosed porch, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

December 23, 1992

Mr. and Mrs. Edward T. Schneider
616 Wilton Road
Towson, Maryland 21286

RE: Petition for Administrative Zoning Variance
Case No. 93-173-A
616 Wilton Road

Dear Mr. and Mrs. Schneider:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm

encl.

Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County
for the property located at 616 Wilton Road, Towson, MD 21286

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 to allow a side yard setback of 8 ft. (for an enclosed porch) in lieu of the minimum required 10 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty):

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lease
Type or First Name
Signature
Address
City State Zip Code
Attorney for Petitioner
Type or First Name
Signature
Address
City State Zip Code
Name Address and phone number of legal owner (contact purchase or representative to be contacted)
City State Zip Code
Name Address and phone number of legal owner (contact purchase or representative to be contacted)
City State Zip Code

A Public Hearing hearing has been requested and/or held to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of 1992 that the subject matter of this petition be set for a public hearing, advertising, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

REVIEWED BY: [Signature] DATE: 11-20-92
ESTIMATED POSTING DATE: 12-7-92

ITEM # 182

Affidavit in support of
Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 616 Wilton Road
Towson MD 21286
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (please include a printed affidavit)

Enlarging the existing porch will allow us to expand living space in the house. The space will become a first floor family room, currently looking in the back. Also, by enlarging the porch, the space will be utilized much more efficiently. As the porch exists today, the space is rarely used because of lack of privacy from street traffic and exposure to inclement weather. Because of the existing roof and close proximity of the porch, it would be impractical to reduce the width of the porch by two feet to comply with zoning regulations.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Signature: Edward T. Schneider
Notary Public: [Signature]

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 17th day of November, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.
November 17, 1992
Notary Public: Victoria A. Wedinger

My Commission Expires:
VICTORIA A. WEDINGER
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires June 18, 1995

ZONING DESCRIPTION FOR 616 WILTON ROAD

Beginning at a point on the north side of Wilton Road which is 40 wide at the distance of four hundred eighty-six feet east of the centerline of the nearest improved intersecting street Newberry Lane which is 20 wide. Being Lot #136, Section #2 in the subdivision of Wiltondale as recorded in Baltimore County Plat Book #12, Folio #59, containing 7552 square feet. Also known as 616 Wilton Road and located in the 9th Election District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th
Posted for: Variance
Petitioner: Edward T. & L.H. Schneider
Location of property: N/S (616) Wilton Rd. E of Newberry Lane
Location of Sign: [Signature]
Remarks: [Signature]
Posted by: [Signature]
Number of Signs: 1

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date: 11-20-92
Edw. T. Schneider
616 Wilton Rd
(21286)
Residential Variance (ADMN) filing fee \$50.00
Sign + Postage 35.00
\$ 85.00

Please Make Checks Payable To: Baltimore County

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date: 11-17-92
PUBLIC HEARING FEES
100 ZONING VARIANCE (CRL) \$50.00
100 POSTING SIGNS + ADVERTISING \$35.00
LAST NAME OF OWNER: SCHNEIDER
TOTAL: \$85.00

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

December 7, 1992

(410) 887-3353

Mr. and Mrs. Edward T. Schneider
616 Wilton Road
Towson, MD 21286

RE: Case No. 93-173-A, Item No. 182
Petitioner: Edward T. Schneider, et ux
Petition for Administrative Variance

Dear Mr. and Mrs. Schneider:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this
20th day of November 1992.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Edward T. Schneider, et ux
Petitioner's Attorney:

Printed on Recycled Paper

93-173-A 12-24

DPW/Developers Engineering Division (Public Services)
Development Review Committee Response Form
Authorized signature *David Ramsey* Date *12/7/92*

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
✓	Venice K. Paterakis	176		11-30-92 NC
✓	John and Constance Morabito	179		NC
✓	Edward J. and Joyce A. Benesch	181		NC
✓	Edward T. and Leigh Ann Schneider	182		NC
✓	Dale and Sue Chambers	183		NC
✓	COUNT 5	185		NC

90476 Stonegate at Patapsco (Azeal Property) 6-1-92
ZON DED TE (Waiting for developer to submit plans first)

COUNT 1
FINAL TOTALS
COUNT 6
*** END OF REPORT ***

SHA Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Re: Baltimore County
Item No. 182 (JJS)
Edward T. Schneider & Leigh Ann
Lentz Schneider

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it
does not access a State roadway and is not effected by any State Highway Administration
projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
David Ramsey 11/27/92
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is _____
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-482-5522 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Rec'd 12/7/92

Printed on Recycled Paper

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature *David Ramsey* Date *12/7/92*

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
✓	Venice K. Paterakis	176		11-30-92
✓	John and Constance Morabito	179		NC
✓	Edward J. and Joyce A. Benesch	181		NC
✓	Edward T. and Leigh Ann Schneider	182		NC
✓	Dale and Sue Chambers	183		NC
✓	COUNT 5			

90476 Stonegate at Patapsco (Azeal Property) 6-1-92
ZON DED TE (Waiting for developer to submit plans first)

COUNT 1
FINAL TOTALS
COUNT 6
*** END OF REPORT ***

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: December 3, 1992

FROM: Ervin Mc Daniel, Chief
Office of Planning and Zoning
Development Review Section

SUBJECT: Petitions from Zoning Advisory Committee
(November 30, 1992)

The Office of Planning and Zoning has no comments on the following petitions:
Venice K. Paterakis, Item No. 176 ✓
John and Constance Morabito, Item No. 179 ✓
Edward and Joyce Benesch, Item No. 181 ✓
Edward and Leigh Ann Schneider, Item 182 ✓
Dale and Sue Chambers, Item No. 183 ✓

If there should be any further questions or if this office can provide additional
information, please contact Francis Morsey in the Office of Planning at 887-3211.

Prepared by: *Francis Morsey*

Division Chief: _____

EMCD/PM:rdn

176.ZAC/ZAC1

93-173-A

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: December 3, 1992

FROM: Ervin Mc Daniel, Chief
Office of Planning and Zoning
Development Review Section

SUBJECT: Petitions from Zoning Advisory Committee
(November 30, 1992)

The Office of Planning and Zoning has no comments on the following petitions:
Venice K. Paterakis, Item No. 176 ✓
John and Constance Morabito, Item No. 179 ✓
Edward and Joyce Benesch, Item No. 181 ✓
Edward and Leigh Ann Schneider, Item 182 ✓
Dale and Sue Chambers, Item No. 183 ✓

If there should be any further questions or if this office can provide additional
information, please contact Francis Morsey in the Office of Planning at 887-3211.

Prepared by: *Francis Morsey*

Division Chief: _____

EMCD/PM:rdn

176.ZAC/ZAC1

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

DECEMBER 1, 1992

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: EDWARD T. SCHNEIDER AND LEIGH ANN LENTZ SCHNEIDER
Location: #616 WILTON ROAD
Item No.: *182 (JJS) Zoning Agenda: NOVEMBER 30, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by
this Bureau and the comments below are applicable and required to be
corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. Papp* Noted and Approved *JP/KEK*
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

Rec'd 12/7/92

Printed on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

November 25, 1992

(410) 887-3353

Edward and Leigh Schneider
616 Wilton Road
Towson, Maryland 21286

Re: CASE NUMBER: 93-173-A
LOCATION: N/S Wilton Road, 486' E of c/l Newberry Lane
616 Wilton Road
9th Election District - 4th Councilmanic

COPY

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case
number. Any contact made with this office should reference the case number. This letter also serves as a
refresher regarding the administrative process.

1) Your property will be posted on or before December 8, 1992. The closing date (December 21, 1992) is
the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file
will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an order will issue. This order
may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for
a public hearing. You will receive written notification as to whether or not your petition has been granted,
denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the
Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County
newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after
the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE
PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND
THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE
FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR
DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Arnold Jablon
Arnold Jablon
Director

Printed on Recycled Paper

